

REMARKS

This is a full and timely response to the non-final Office Action of May 18, 2007.

Reexamination, reconsideration, and allowance of the application and all presently pending claims are respectfully requested.

Upon entry of this Sixth Response, claims 55-67 have been newly added and are pending in this application. Claims 1-10, 17-27, 29-32, and 34-54 have been canceled via the amendments set forth herein. It is believed that the foregoing amendments add no new matter to the present application.

Response to Rejections

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical Co.*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981). In addition, "(t)he PTO has the burden under section 103 to establish a *prima facie* case of obviousness." *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988).

Claims 1, 3-9, 11-15, and 17-28

Claims 1-10, 17-27, 29-32, and 34-54 presently stand rejected under 35 U.S.C. §112, second paragraph. Further, claims 1-5, 17-21, 27, 29-32, 34-36, 39, and 43-54 presently stand rejected under 35 U.S.C. §102, and claims 6-10, 22-26, 37-38, and 40-42 presently stand rejected under 35 U.S.C. §103. However, claims 1-10, 17-27, 29-32, and 34-54 have been cancelled via the amendments set forth herein thereby mooted the rejections of these claims.

Claim 55

Claim 55 has been newly added via the amendments set forth herein. Claim 55 presently reads as follows:

55. A communication system, comprising:
a plurality of network elements, each of the network elements coupled to a respective subscriber line extending from a field office of a communication network and configured to control communication occurring across said respective subscriber line;
a plurality of clients remotely located from the network elements, the plurality of clients including a first client and a second client; and
an element management system (EMS) remotely located from the network elements and the clients, comprising:
memory for storing sets of graphical user interface (GUI) code, client profile data, and element status data, each set of GUI code associated with a respective network element type, the client profile data indicating which of the network elements are of interest to the clients, the element status data indicating a respective status for each of the plurality of the network elements indicated by the client profile data to be of interest to at least one of the clients; and
a system controller configured to receive a first notification from the first client, the first notification identifying one of the network elements, the system controller configured to determine a network type for the identified network element and to retrieve the set of GUI code associated with the determined network element type in response to the first notification, the system controller configured to transmit the retrieved set of GUI code to the first client in response to the first notification, wherein the retrieved set of GUI code, when run on the first client, causes the first client to display a GUI for displaying information pertaining to the identified network element, the system controller configured to update the client profile data, in response to the first notification, such that the client profile indicates that the first client is interested in the identified network element, the system controller configured to automatically poll, based on the client profile data, each of the network elements indicated to be of interest to at least one of the clients by the client profile data, wherein the system controller, in automatically polling the network elements, is configured to poll the identified network element in response to a determination that the client profile data indicates the identified network element to be of interest to at least one of the clients, the system controller further configured to detect a status change for the identified network element by comparing the element status data to data received from the identified network element via polling, the system controller configured to transmit element update data indicative of the detected status change to the first client in response to a determination by the system controller that the client profile data indicates the identified network element to be of interest to the first client, the system controller further configured to update the element status data in response to the detection of the status change by the system controller.

Applicants respectfully assert that the cited art fails to disclose or suggest the combination of features recited by pending claim 55. Accordingly, Applicants respectfully submit that claim 55 is allowable.

Claims 56-62

Claims 56-62 have been newly added via the amendments set forth herein. Applicants submit that the pending dependent claims 56-62 contain all features of their respective independent claim 55. Since claim 55 should be allowed, as argued hereinabove, pending dependent claims 56-62 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).

Claim 63

Claim 63 has been newly added via the amendments set forth herein. Claim 63 presently reads as follows:

63. A method for use in a communication system having a plurality of network elements, each of the network elements coupled to a respective subscriber line extending from a field office of a communication network, comprising the steps of:

- storing sets of graphical user interface (GUI) code remotely from the network elements and a plurality of clients, the plurality of clients including a first client and a second client;
- storing client profile data remotely from the network elements and the clients, the client profile data indicating which of the network elements are of interest to the clients;
- storing element status data remotely from the network elements and the clients, the element status data indicating a respective status for each of the plurality of network elements indicated by the client profile data to be of interest to at least one of the clients;
- receiving a first notification from the first client, the first notification identifying one of the network elements;
- determining a network type for the identified network element;
- retrieving, based on the determining step, the set of GUI code associated with the determined network type;

transmitting the retrieved set of GUI code to the first client, wherein the retrieved set of GUI code, when run on the first client, causes the first client to display a GUI for displaying information pertaining to the first client;
updating, in response to the first notification, the client profile data such that the client profile data indicates that the first client is interested in the identified network element;
automatically polling, based on the client profile data, each of the network elements indicated to be of interest to at least one of the clients by the client profile data, wherein the automatically polling step comprises the step of polling the identified network element in response to a determination that the client profile data indicates the identified network element to be of interest to at least one of the clients;
comparing the element status data to data received from the identified network via the polling the identified network element step;
detecting a status change for the identified network element based on the comparing step;
transmitting, to the first client, element update data indicative of the status change in response to the detecting step and in response to a determination that the client profile data indicates the identified network element to be of interest to the first client; and
updating the element status data in response to the detecting step.

Applicants respectfully assert that the cited art fails to disclose or suggest the combination of features recited by pending claim 63. Accordingly, Applicants respectfully submit that claim 63 is allowable.

Claims 64-67

Claims 64-67 have been newly added via the amendments set forth herein. Applicants submit that the pending dependent claims 64-67 contain all features of their respective independent claim 63. Since claim 63 should be allowed, as argued hereinabove, pending dependent claims 64-67 should be allowed as a matter of law for at least this reason. *In re Fine*, 5 U.S.P.Q.2d 1596, 1600 (Fed. Cir. 1988).


CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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